

new evidence. Moreover, it is well established that “[t]here is no statutory or common law right, much less a constitutional right, to [such] an investigation.” Fuchs v. Mercer Cty., 260 F. App’x 472, 475 (3d Cir. 2008) (quoting Mitchell v. McNeil, 487 F.3d 374, 378 (6th Cir. 2007), (citing Linda R.S. v. Richard D., 410 U.S. 614, 619 (1973) (observing that “a private citizen lacks a judicially cognizable interest in the prosecution or nonprosecution of another”)). Because the failure to investigate Legendre’s complaint did not violate his constitutional rights, he has no separate claim that this failure was allegedly caused by a city-wide practice. Thus, Legendre fails to demonstrate that relief from the dismissal is necessary to correct any clear legal error or to prevent manifest injustice.

Because the allegations in the motion are unpersuasive or merely cumulative of allegations in Legendre’s complaint, he has not met the requirements for the relief he seeks. Accordingly, the court remains satisfied that dismissal of the case for failure to state a claim was appropriate and will deny the motion. An appropriate order will issue herewith.

ENTER: This 20th day of October, 2020.



Senior United States District Judge